

REGULAR CITY COUNCIL MEETING
NOVEMBER 26, 1990

PRESENT

Don Dafoe	Mayor
Wesley J. Bloomfield	Council Member
Gayle Bunker	Council Member
Robert Droubay	Council Member

ABSENT

Robert Dekker	Council Member
Rex Harris	Council Member

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Rita Byrd	Public Works Secretary
Kyle Byrd	Boy Scout
Ryan Byrd	Boy Scout
Spencer Meyers	Boy Scout
John Lisonbee	Boy Scout
Virginia Taylor	Deputy Recorder
Justin Taylor	Boy Scout
Brian Taylor	Boy Scout
Donny Dafoe	Boy Scout
Jim Robson	Curley's Lounge

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held October 22, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections. Council Member Gayle Bunker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Dafoe asked if there were any comments or

questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The amended minutes of a Regular City Council Meeting held September 10, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$116,715.94. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OLD BUSINESS

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGARDING ABOVE GROUND STORAGE TANKS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding above ground storage tanks.

Attorney Waddingham said that he has not yet received any information from Fire Chief Bryce Ashby regarding this and requested that this item be tabled.

Council Member Wesley Bloomfield MOVED to table discussion of this item. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGULATING THE STOPPING, STANDING OR PARKING OF A VEHICLE ON PRIVATELY-OWNED PARKING AREAS SERVING COMMERCIAL ESTABLISHMENTS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding the regulation of stopping, standing or parking of a vehicle on privately-owned parking areas serving commercial establishments.

Attorney Waddingham presented the following ordinance entitled:

ORDINANCE NO. 90-128

AN ORDINANCE REGULATING THE STOPPING, STANDING OR PARKING
OF A VEHICLE ON PRIVATELY-OWNED PARKING AREAS SERVING
COMMERCIAL ESTABLISHMENTS.

Following discussion, Council Member Gayle Bunker MOVED to adopt Ordinance No. 90-128 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: DELTA CITY PERSONNEL POLICY

The Personnel Policy was not discussed at this meeting.

NEW BUSINESS

TOM ROBERTSHAW, TRAIL INC.: EMPLOYMENT SUPPORT PROGRAM

Tom Robertshaw, Trail Inc. was unable to attend this meeting; therefore, this item was not discussed.

ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO BEER LICENSE ORDINANCE

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed amendment to the Beer License Ordinance.

Attorney Waddingham presented and reviewed in detail a draft of an amendment to the Delta City Revised Code Of Ordinances Section 9-400 entitled: LICENSING PROVISIONS FOR SALE OR CONSUMPTION OF INTOXICANTS. He asked the Council to review the draft and discuss it at the next Regular City Council Meeting.

COUNCIL MEMBER WESLEY BLOOMFIELD: AIRPORT FIXED OPERATOR LEASE

Mayor Dafoe asked Council Member Wesley Bloomfield to discuss a fixed operator lease at the Delta Municipal Airport.

Council Member Wesley Bloomfield said that he and Mayor Dafoe talked with Alan Burraston regarding a lease agreement renewal for

the airport hangar facilities. Mr. Bloomfield presented the following proposals:

1. Term of Lease Agreement to be three (3) years with a three year option.
2. Increase rent from \$100 per month to \$300 per month.
3. Provide a contract clause where, subject to Council approval, repairs such as replacing windows, painting, etc. could be made to offset some of the monthly costs.
4. Maintain adequate insurance coverage.
5. Upkeep of the property; such as, removal of weeds, upkeep of vehicles and equipment, etc.
6. Minor utility repairs, lights, plumbing, etc. within the building. Major repairs to be determined and covered by Delta City.
7. Proof Of Insurance required.
8. Del Aero should make every effort to operate as a viable business that would be open for sales of fuel to aircraft.
9. Del Aero required to pay a \$.10 surcharge to Delta City on every gallon of fuel sold.

Mayor Dafoe said that the front of the airport hangar building is in need of painting and some metal needs to be replaced. Mayor Dafoe said that Chevron Oil will furnish the paint for the building but Delta City will be required to furnish the labor.

Council Member Gayle Bunker recommended that Mayor Dafoe and Council Member Wesley Bloomfield meet with Alan Burraston prior to an agreement being signed and make a list of needed improvements and repairs and stating whose responsibility those repairs are prior to an agreement being signed.

Attorney Richard Waddingham was instructed to prepare an agreement that would include the above mentioned issues and present it at the next Regular City Council Meeting.

MAYOR DON DAFOE: LEASE OF AIRPORT HANGAR FACILITIES

This item was discussed with Agenda Item No. 10 - Airport Fixed Operator Lease.

CITY RECORDER DOROTHY JEFFERY: BUSINESS LICENSE ORDINANCE

Mayor Dafoe asked City Recorder Dorothy Jeffery to discuss Delta City's Business License Ordinance.

City Recorder Dorothy Jeffery presented a list of issues to consider regarding the Business License Fee Schedule. Those issues are as follows:

CUSTODIAL SERVICES:

Mrs. Jeffery said that at the present time two business licenses have been issued for custodial services; however, there are many businesses in town that are being cleaned by individuals but those individuals are not licensed. She asked if every individual that is cleaning a business should be licensed.

Also, there is not a classification for custodial services; therefore, this falls under any other personal services with a fee of \$50.

Following discussion it was decided that if an individual regularly involves one or more persons in their cleaning services, they should be charged a fee of \$50 under the classification of Custodial Services.

CONVENIENCE STORES:

Mrs. Jeffery said that in the past a fee of \$50 has been charged for a Convenience Store, plus a fee of \$50 for a Joint License for gasoline sales has been charged. The question was raised if a convenience store with gasoline sales should be considered a Joint License.

The Council concurred that Convenience Stores should not be charged for a Joint License; therefore, a Convenience Store includes gasoline sales for a fee of \$50.

BUILDING TRADES:

Mrs. Jeffery asked for a distinction of several businesses under the Building Trades classification i.e., West Side Grading, Rancho Equipment Service, Valley Asphalt, Hale Jeffery and Jedd Higgs.

Following discussion, it was decided that an Excavation Contractor classification should be added to the fee schedule with a fee of \$50.

YARD CARE SERVICES:

Mrs. Jeffery said that in a Regular City Council Meeting held March 27, 1989, the Council decided not to charge a fee for yard care services. However, there are individuals who have quite a business doing seasonal yard care services.

The Council decided to charge for yard care services only if it is an individual's primary source of income.

BUSINESSES WHO HAVE NOT YET PAID FOR THEIR 1990 BUSINESS LICENSE:

There are two businesses who have not yet obtained a business license for 1990. Attorney Richard Waddingham asked that he be given the necessary paperwork and information regarding these businesses in order to address this issue.

Discussion was held regarding the business license fee schedule and some comparisons were made. The Council decided to continue to charge a Real Estate Office a fee of \$100, but they decided to no longer charge a fee of \$50 for each Real Estate Agent.

Mrs. Jeffery reported that there is a day-care being conducted in the West Millard Extended Care Facility. The day-care was intended for employee's child care only; however, there are other children other than employees being tended there. She said that this is in violation of the Delta City Zoning Ordinances. This item will be turned over to Neil Forster, Zoning Officer, to determine if a day-care is being operated and what action needs to be taken.

ATTORNEY RICHARD WADDINGHAM: EXTENSION OF GTE AIRFONE LEASE AGREEMENT

Mayor Don Dafoe asked Attorney Richard Waddingham to report on the extension of a lease agreement with GTE Airfone.

Attorney Waddingham reported that a copy of a lease agreement was sent to GTE Airfone but he has not yet received a signed copy from them. When a signed copy is received, Attorney Waddingham will present it to the Council for their approval.

OTHER BUSINESS

Council Member Wesley Bloomfield recommended that an ordinance be adopted to prohibit residents from parking on City streets during periods when snow removal is required. If residents need to park on the streets a special permit should be issued from the City allowing them to do so.

Council Member Bloomfield also recommended that the City sponsor a Christmas Decoration Contest.

Tie downs at the Airport were also discussed. New chains and snaps will be installed to replace the old cable.

MAYOR DON DAFOE: CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL

Council Member Gayle Bunker MOVED that the Council meet in closed session at 9:20 p.m. for the purpose of discussing Delta City personnel. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any further comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:


Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Following the closed session, Council Member Gayle Bunker MOVED to reconvene to Regular City Council Meeting at 10:05 p.m. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 10:06 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 1-14-91